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LEGISLATIVE HISTORY

Public Law 177--92nd Congress

Chapter 507--1st Session

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## DIGEST OF PUBLIC LAW 177

AN ACT: To amend section 12 of the Federal-Aid Highway Act of 1950 to increase the amount available for the construction of access roads certified as essential to the national defense.

### INDEX AND SUMMARY OF H. R. 5504

- September 27, 1951      Mr. Buckley introduced H. R. 5504 which was referred to the Committee on Public Works. Print of bill as introduced.
- October 1, 1951      Committee on Public Works reported H. R. 5504 without amendment. Report 1086. Print of bill as reported.
- October 4, 1951      H. R. 5504 passed House without amendment.
- October 8, 1951      In the Senate, read twice, considered, read the third time and passed. Print of H. R. 5504 as passed by the Senate.
- October 16, 1951      Approved: Public Law 177







82D CONGRESS  
1ST SESSION

# H. R. 5504

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 27, 1951

Mr. BUCKLEY introduced the following bill; which was referred to the Committee on Public Works

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## A BILL

To amend section 12 of the Federal-Aid Highway Act of 1950 to increase the amount available for the construction of access roads certified as essential to the national defense.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That section 12 of the Federal-Aid Highway Act of 1950,  
4       approved September 7, 1950 (64 Stat. 785), is hereby  
5       amended by striking out “\$10,000,000” and inserting in  
6       lieu thereof “\$45,000,000”, and by striking out “\$2,000,000”  
7       and inserting in lieu thereof “\$20,000,000”, and by adding  
8       at the end thereof the following additional proviso: “*And*  
9       *provided further,* That not exceeding \$5,000,000 of any  
10      funds appropriated under this authorization may be used by

1 the Secretary of Commerce in areas certified to him by the  
2 Secretary of Defense as maneuver areas, for such recon-  
3 struction, maintenance, and repair work as may be necessary  
4 to keep the roads therein which have been or may be used  
5 for training of the Armed Forces in suitable condition for such  
6 training purposes, and for repairing the damage caused to  
7 such roads by the operations of men and equipment in such  
8 training".



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## A BILL

To amend section 12 of the Federal-Aid Highway Act of 1950 to increase the amount available for the construction of access roads certified as essential to the national defense.

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By Mr. BUCKLEY

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SEPTEMBER 27, 1951

Referred to the Committee on Public Works

ance broker. I submit that the employment of an outside engineer was essential to the financial solvency of the company, unless it was proposed to let the suppliers of material be the judges of the quality of their own wares.

As the author of the bill which authorized rural telephone loans, I sincerely wish it were possible to get full area coverage and to bring first-class telephone service to all farm people at 1935 costs, but it cannot be done, and I am glad to see the REA require sound business practices and the installation of adequate facilities to give all the people of a community the type of service which will endure. REA is doing a better and more businesslike job than some telephone companies are doing, and I believe that this is true in the case described by the Reader's Digest.

#### ~~DISCRIMINATION AGAINST NEW ENGLAND IN THE MATTER OF GOVERNMENT CONTRACTS~~

(Mrs. ROGERS of Massachusetts asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. ROGERS of Massachusetts. Mr. Speaker, the other day on the floor I reminded the House that I felt that in the award of Government contracts there was unfairness and discrimination against New England and that I was having that investigated. My remarks were mislaid and they have not as yet appeared in the RECORD.

Mr. Speaker, to my mind it is very obvious that the labor market in Massachusetts, in fact in all of New England, is being depleted. One of the instances was the removal of the district office of the Veterans' Administration to Philadelphia. There are a good many other instances. It was very different during World War II when I felt there was much more fairness in the treatment of industry in Massachusetts and in New England, also in the awarding of contracts. The situation that exists today is terribly unfair. It hurts us now, but ultimately it will hurt war production.

#### ~~EXTENSION OF REMARKS~~

By unanimous consent, permission to extend remarks in the Appendix of the RECORD, or to revise and extend remarks, was granted to:

Mr. MORANO in two instances, in each to include extraneous matter.

Mr. WEICHEL (at the request of Mr. ARENDTS).

Mr. STEFAN in two instances, in each to include editorials.

Mr. REAMS and to include an editorial from the Toledo Blade on the subject of freedom of the Press Gallery.

Mr. LANE in three instances, in each to include extraneous matter.

Mr. WICKERSHAM in seven instances and to include extraneous matter.

Mr. MCKINNON (at the request of Mr. HAYS of Ohio) and to include extraneous matter.

Mr. DOYLE in two instances and to include appropriate material.

Mr. RODINO and to include an editorial.

Mrs. ROGERS of Massachusetts and to include a letter endorsing the House version of the amputee car bill.

Mr. OSTERTAG and to include a resolution from the Fraternal Order of Eagles.

Mr. GOODWIN in four instances and to include extraneous matter.

Mr. NORBLAD in three instances and to include extraneous matter.

Mr. HARRISON of Wyoming and to include extraneous matter.

Mr. JENISON in two instances and to include extraneous matter.

Mr. FURCOLO and to include extraneous matter.

Mr. BARRETT and to include extraneous matter.

Mr. VELDE in two instances and to include extraneous matter.

Mr. MEADER.

Mr. HOFFMAN of Michigan.

Mr. RANKIN in two instances and to include extraneous matter in each instance.

Mr. ADDONIZIO and to include two resolutions.

Mr. ROOSEVELT (at the request of Mr. ADDONIZIO) and to include a speech.

Mr. FEIGHAN on House Joint Resolution 42 just prior to the ordering of the previous question.

Mr. MULTER in four instances and to include extraneous matter.

Mr. SIEMINSKI in two instances.

Mr. MURDOCK in three instances and to include extraneous matter.

Mr. JARMAN and to include extraneous matter.

Mr. JENKINS and to include a magazine article.

Mr. JONES of Missouri to revise and extend the remarks made in the House today.

Mr. JAVITS to revise and extend the remarks he made on the issue of Irish unification.

Mr. JAVITS in four instances in each to include extraneous matter.

Mr. CURTIS of Nebraska and to include an editorial.

Mr. POULSON in five instances in each to include extraneous matter.

Mr. HAGEN in three instances in each to include extraneous printed matter.

#### ~~ENROLLED JOINT RESOLUTION SIGNED~~

Mr. STANLEY, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a joint resolution of the House of the following title, which was thereupon signed by the Speaker:

H. J. Res. 335. Joint resolution amending an act making temporary appropriations for the fiscal year 1952, and for other purposes.

#### ~~LEAVE OF ABSENCE~~

By unanimous consent, leave of absence was granted to:

Mr. BROWN of Ohio (at the request of Mr. MARTIN of Massachusetts), for today, on account of official business.

Mr. KING, for 1 day, on account of official business.

#### ~~ADJOURNMENT~~

Mr. HAYS of Arkansas. Mr. Speaker. I move that the House do now adjourn. The motion was agreed to; accordingly

(at 5 o'clock and 14 minutes p. m.) the House, under its previous order, adjourned until Monday, October 1, 1951, at 12 o'clock noon.

#### ~~EXECUTIVE COMMUNICATIONS, ETC.~~

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

825. A letter from the Assistant Secretary of Defense, transmitting a draft of a proposed bill entitled, "A bill to amend section 3268 of the Internal Revenue Code so as to exempt certain recreational facilities from the tax prescribed therein"; to the Committee on Ways and Means.

826. A letter from the Chairman, Civil Aeronautics Board, transmitting a draft of a proposed bill entitled, "A bill to amend the Civil Aeronautics Act of 1938, as amended, so as to authorize the imposition of civil penalties in certain cases"; to the Committee on Interstate and Foreign Commerce.

827. A letter from the Attorney General, transmitting copies of orders entered in cases where the ninth proviso to section 3 of the Immigration Act of February 5, 1917 (8 U. S. C. 136), was exercised in behalf of such aliens, pursuant to section 6 (b) of the act of October 16, 1918, as amended by section 22 of the Internal Security Act of 1950 (Public Law 831, 81st Cong.); to the Committee on the Judiciary.

828. A letter from the Attorney General, transmitting a letter relative to the case of Fajgla Tuchmajer Ajzin nee Tuchmajer, file No. A-6819145 CR 33295, requesting that it be withdrawn from those now pending before the Congress and returned to the jurisdiction of the Department of Justice; to the Committee on the Judiciary.

829. A letter from the Attorney General, transmitting a letter relative to the case of Ilona (Helen) Goldstein, file No. A-6465693 CR 34726, requesting that it be withdrawn from those now pending before the Congress and returned to the jurisdiction of the Department of Justice; to the Committee on the Judiciary.

#### ~~REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS~~

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CANNON: Committee on Appropriations. House Joint Resolution 335. Joint resolution amending an act making temporary appropriations for the fiscal year 1952, and for other purposes; without amendment (Rept. No. 1063). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H. R. 8368. A bill providing for the conveyance of the Bear Lake Fish Cultural Station to the Fish and Game Commission of the State of Utah; without amendment (Rept. No. 1064). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H. R. 4808. A bill to provide for the granting of an easement for a public road through the Pea Island National Wildlife Refuge in Dare County, N. C.; with amendment (Rept. No. 1065). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROOKS: Committee on Armed Services. H. R. 5426. A bill relating to the Reserve components of the Armed Forces of the United States; with amendment (Rept.

No. 1066). Referred to the Committee of the Whole House on the State of the Union.

Mr. STANLEY: Committee on House Administration. House Resolution 249. Resolution for the relief of the estate of Ovila P. Gaucher; without amendment (Rept. No. 1067). Ordered to be printed.

Mr. STANLEY: Committee on House Administration. House Resolution 410. Resolution to provide funds for the expenses of the investigation and study authorized by House Resolution 890 which creates a select committee on the Katyn Forest massacre; without amendment (Rept. No. 1068). Ordered to be printed.

Mr. STANLEY: Committee on House Administration. House Resolution 403. Resolution to authorize the expenditure of certain funds for the expenses of the Committee on Un-American Activities; with amendment (Rept. No. 1069). Ordered to be printed.

Mr. STANLEY: Committee on House Administration. House Resolution 415. Resolution to provide funds for the expenses of the investigation and studies authorized by House Resolution 158; with amendment (Rept. No. 1070). Ordered to be printed.

Mr. STANLEY: Committee on House Administration. House Resolution 417. Resolution to provide additional funds for the study and investigation authorized by House Resolution 33; without amendment (Rept. No. 1071). Ordered to be printed.

Mr. STANLEY: Committee on House Administration. House Resolution 433. Resolution providing for the further expenses of conducting the studies and investigations authorized by House Resolution 78. Eighty-second Congress; without amendment (Rept. No. 1072). Ordered to be printed.

Mr. STANLEY: Committee on House Administration. House Resolution 318. Resolution authorizing the purchase of electric office equipment for use by Members, officers, and committees of the House of Representatives; with amendment (Rept. No. 1073). Ordered to be printed.

Mr. PRIQUE: Committee on Armed Services. H. R. 5067. A bill to authorize the use of the incomplete submarine *Uluua* as a target for explosive tests, and for other purposes; without amendment (Rept. No. 1074). Referred to the Committee of the Whole House on the State of the Union.

Mr. LARCADE: Committee on Public Works. H. R. 1949. A bill to retrocede to the State of Illinois jurisdiction over 154.2 acres of land used in connection with the Chain of Rocks Canal, Madison County, Ill.; without amendment (Rept. No. 1075). Referred to the Committee of the Whole House on the State of the Union.

Mr. JOHNSON: Committee on Armed Services. H. R. 3548. A bill to provide that payments to States and Territories for care given to certain disabled soldiers and sailors of the United States shall be effective from the date such care commences; with amendment (Rept. No. 1076). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROOKS: Committee on Armed Services. H. R. 4049. A bill to authorize the Secretary of the Navy to transfer to the Commonwealth of Massachusetts certain lands and improvements comprising the Castle Island Terminal Facility at South Boston in exchange for certain other lands; without amendment (Rept. No. 1077). Referred to the Committee of the Whole House on the State of the Union.

Mr. KILDAY: Committee on Armed Services. H. R. 5405. A bill to amend section 207 (a) of Public Law 351, Eighty-first Congress; with amendment (Rept. No. 1078). Referred to the Committee of the Whole House on the State of the Union.

Mr. FALLON: Committee on Public Works. H. R. 5131. A bill granting the consent of

Congress to a compact or agreement between the Commonwealth of Pennsylvania and the State of New Jersey concerning a bridge across the Delaware River to provide a connection between the Pennsylvania Turnpike system and the New Jersey Turnpike, and for other purposes; with amendment (Rept. No. 1079). Referred to the Committee of the Whole House on the State of the Union.

Mr. PATMAN: Select Committee on Small Business. Report pursuant to House Resolution 33, Eighty-first Congress, first session. Resolution creating a select committee to conduct a study and investigation of the problems of small business; without amendment (Rept. No. 1081). Referred to the Committee of the Whole House on the State of the Union.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. VAN ZANDT: Committee on Armed Services. H. R. 2604. A bill to authorize the appointment of Sidney F. Mashbir, colonel, Army of the United States, to the permanent grade of colonel in the Regular Army; with amendment (Rept. No. 1080). Referred to the Committee of the Whole House.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. WOLVERTON:

H. R. 5502. A bill granting the consent of Congress to a supplemental compact or agreement between the State of New Jersey and the Commonwealth of Pennsylvania concerning the Delaware River Port Authority, formerly the Delaware River Joint Commission, and for other purposes; to the Committee on Public Works.

H. R. 5503. A bill granting the consent of Congress to a supplemental compact or agreement between the State of New Jersey and the Commonwealth of Pennsylvania, authorizing the Delaware River Joint Commission to construct, finance, operate, maintain, and own a vehicular tunnel or tunnels under, or an additional bridge across, the Delaware River and defining certain functions, powers, and duties of said commission, and for other purposes; to the Committee on Public Works.

By Mr. BUCKLEY:

H. R. 5504. A bill to amend section 12 of the Federal-Aid Highway Act of 1950 to increase the amount available for the construction of access roads certified as essential to the national defense; to the Committee on Public Works.

By Mr. DOUGHTON:

H. R. 5505. A bill to amend certain administrative provisions of the Tariff Act of 1930 and related laws, and for other purposes; to the Committee on Ways and Means.

By Mrs. KEE:

H. R. 5506. A bill making an emergency authorization of an appropriation for the purpose of erecting in Bluefield, W. Va., a post office and courthouse building; to the Committee on Public Works.

By Mr. LARCADE:

H. R. 5507. A bill making an emergency authorization and appropriation for the purpose of erecting in Lake Charles, La., a post office and courthouse building; to the Committee on Public Works.

By Mr. BARRETT:

H. R. 5508. A bill granting the consent of Congress to a supplemental compact or agreement between the State of New Jersey

and the Commonwealth of Pennsylvania concerning the Delaware River Port Authority, formerly the Delaware River Joint Commission, and for other purposes; to the Committee on Public Works.

H. R. 5509. A bill granting the consent of Congress to a supplemental compact or agreement between the State of New Jersey and the Commonwealth of Pennsylvania, authorizing the Delaware River Joint Commission to construct, finance, operate, maintain, and own a vehicular tunnel or tunnels under, or an additional bridge across, the Delaware River and defining certain functions, powers, and duties of said Commission, and for other purposes; to the Committee on Public Works.

By Mr. KEARNS:

H. R. 5510. A bill to authorize the heads of the executive departments and of the agencies and independent establishments of the Federal Government and the Commissioners of the District of Columbia to provide for the promotion and maintenance of recreation programs to improve the efficiency, morale, health, and general welfare of employees of their respective departments and agencies; to the Committee on Post Office and Civil Service.

By Mr. McMILLAN:

H. R. 5511. A bill to authorize the Board of Commissioners of the District of Columbia to permit certain improvements to two business properties situated in the District of Columbia; to the Committee on the District of Columbia.

By Mr. BUCKLEY:

H. R. 5512. A bill to authorize the Secretary of Agriculture to install measures for runoff and waterflow retardation and soil erosion prevention, and for other purposes; to the Committee on Public Works.

By Mr. SHELLEY:

H. R. 5513. A bill to extend certain benefits granted to widows of veterans of World War I to certain widows of such veterans not now entitled thereto; to the Committee on Veterans' Affairs.

H. R. 5514. A bill to amend title 28, United States Code, so as to extend the privilege of trial by jury to certain cases arising within the special maritime and territorial jurisdiction of the United States; to the Committee on the Judiciary.

By Mr. CANNON:

H. J. Res. 335. Joint resolution amending an act making temporary appropriations for the fiscal year 1952, and for other purposes; to the Committee on Appropriations.

By Mr. CLEMENTE:

H. J. Res. 336. Joint resolution authorizing and directing an investigation by the Coast Guard of the need for safety regulations applicable to small craft; to the Committee on Merchant Marine and Fisheries.

By Mr. CASE:

H. Con. Res. 165. Concurrent resolution favoring certain action against the Government of Czechoslovakia unless John Hvasta, citizen of the United States is released from custody; to the Committee on Foreign Affairs.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BEALL:

H. R. 5515. A bill for the relief of John H. Vogel; to the Committee on the Judiciary.

By Mr. BOGGS of Louisiana:

H. R. 5516. A bill for the relief of Dimple Benoit; to the Committee on the Judiciary.

By Mrs. BOLTON:

H. R. 5517. A bill for the relief of Mrs. Katharina Luise Trenye; to the Committee on the Judiciary.

H. R. 5518. A bill for the relief of Pietro Petralia; to the Committee on the Judiciary.





AMENDING SECTION 12 OF THE FEDERAL-AID HIGHWAY ACT OF 1950 TO INCREASE THE AMOUNT AVAILABLE FOR THE CONSTRUCTION OF ACCESS ROADS CERTIFIED AS ESSENTIAL TO THE NATIONAL DEFENSE

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OCTOBER 1, 1951.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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Mr. FALLON, from the Committee on Public Works, submitted the following

R E P O R T

[To accompany H. R. 5504]

The Committee on Public Works, to whom was referred the bill (H. R. 5504) to amend section 12 of the Federal-Aid Highway Act of 1950 to increase the amount available for the construction of access roads certified as essential to the national defense, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

H. R. 5504 is an amendment to the provisions of the Federal-Aid Highway Act of 1950 which relates to the construction of access roads certified as essential to the national defense. The Federal-Aid Highway Act of 1950 authorized an appropriation of \$10,000,000 for such roads and under the terms of this bill this amount would be increased to \$45,000,000. Twenty million dollars of the sum authorized is made available for contract immediately upon the passage of the act.

H. R. 5504 also provides that not to exceed \$5,000,000 of the funds appropriated under this authorization may be used in areas certified by the Secretary of Defense as maneuver areas for such reconstruction, maintenance, and repair work as may be necessary to keep the roads therein which have been, or may be, used for training of the Armed Forces in suitable condition for such training purposes, and for repairing the damage caused to such roads by the operations of men and equipment in such training. This provision is not new since a similar

## 2 AMENDING SECTION 12 OF THE FEDERAL-AID HIGHWAY ACT

provision was included in the Defense Highway Act of 1941, by an amendment of April 4, 1944.

### STATEMENT OF FACTS

The committee held hearings on a similar bill, H. R. 5258, on September 27, 1951. Testimony was received from representatives of the Department of Defense and the Bureau of Public Roads, and the president of the American Association of State Highway Officials. The testimony showed that there is need for additional authorizations for access roads used for defense purposes since existing authorizations for such purposes have been fully committed and there are pending many additional projects which have been certified as essential to the defense effort but are now held up for lack of congressional authorization.

The need for access roads construction brought about by rapidly changing conditions in recent months has become acute. Many States with large defense installations are urging that Congress approve additional authorizations for access roads. Witnesses from the Federal agencies charged with responsibility of administering the access-road program gave estimates of the immediate requirements for access-road authorizations which totaled about \$30,000,000. In addition, they estimated that further projects would be determined to be necessary within the next few months in the amount of about \$15,000,000, resulting in a total requirement, insofar as may be determined at the present time, of about \$45,000,000. In order that there may be no delay in the prosecution of the program the committee believes that the contract authorization should be increased to \$20,000,000.

The committee, after the conclusion of hearings on H. R. 5258, deemed it best to confine the present legislation to increases in authorization and contract authority and defer action on changes in basic law until consideration of the biennial Federal-Aid Highway Act next session. Because of this decision, H. R. 5504 is recommended in lieu of H. R. 5258.

Comments of the Department of Commerce on this legislation are as follows:

THE SECRETARY OF COMMERCE,  
Washington 25, D. C., August 17, 1951.

Hon. CHARLES A. BUCKLEY,  
*Chairman, Committee on Public Works,  
House of Representatives, Washington 25, D. C.*

DEAR MR. BUCKLEY: I have the honor to submit a draft of proposed bill for the purpose of providing additional funds for the construction of access roads.

Section 12 of the Defense Highway Act of 1950, approved September 7, 1950, authorized to be appropriated the sum of \$10,000,000, of which \$2,000,000 was made immediately available for contract, for the construction and maintenance of access roads certified as important to the national defense. Current estimates of present and contemplated access road requirements incident to the expanding defense program indicate that additional authorizations will be required and that the further sum of \$15,000,000 should be made available immediately for contract in order to provide for construction of urgently needed projects already certified or in process of certification.

The attached draft of bill would authorize the appropriation of such additional sums as may be deemed necessary for the access road program and would increase the amount immediately available for contract by \$15,000,000. It would provide that the whole or any portion of the cost of certified access road projects may be paid from Federal funds, except that where such projects are located on the

Federal-aid primary system they would have to be handled as regular Federal-aid projects and the Federal share paid out of the State's regular Federal-aid apportionment and not out of the funds authorized for access roads. The bill also would make certain desirable changes in the Defense Highway Act of 1941 so as to provide for control of access and would make more flexible the provisions of section 14 of that act relating to right-of-way acquisition which might be undertaken in the name of the United States in connection with access road projects. It also would authorize not to exceed \$5,000,000 for such reconstruction, maintenance, and repair work as may be deemed necessary on roads in areas certified to the Secretary of Commerce by the Secretary of Defense as maneuver areas.

The Bureau of the Budget has advised that legislation in line with the attached draft would be in accord with the program of the President. It will be appreciated if appropriate steps are taken with a view to its enactment.

Sincerely yours,

THOMAS W. S. DAVIS,  
Acting Secretary of Commerce.

A BILL To amend section 12 of the Federal-Aid Highway Act of 1950 and sections 6 and 14 of the Defense Highway Act of 1941, and for other purposes

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in addition to the funds heretofore authorized by section 12 of the Federal-Aid Highway Act of 1950, approved September 7, 1950, for the purpose of carrying out the provisions of section 6 of the Defense Highway Act of 1941 (55 Stat. 765), as amended, there is hereby authorized to be appropriated such sums as may be deemed necessary for such purpose, to remain available until expended: *Provided*, That in addition to the sums heretofore made available for contract for such purpose, the sum of \$15,000,000 shall be available for contract immediately upon the passage of this Act: *Provided further*, That the cost of construction, reconstruction, or maintenance work performed on any access road project certified pursuant to section 12 of the Federal-Aid Highway Act of 1950, may be paid in whole or in part with Federal funds appropriated for such purpose, except that where any such project is on the Federal-aid primary system no part of such cost shall be paid from funds authorized or appropriated pursuant hereto: *And provided further*, That not exceeding \$5,000,000 of any funds appropriated under this authorization may be used by the Secretary of Commerce, in areas certified to him by the Secretary of Defense as maneuver areas, for such reconstruction, maintenance and repair work as may be necessary to keep the roads therein which have been or may be used for training of the armed forces in suitable condition for such training purposes, and for repairing the damage caused to such roads by the operations of men and equipment in such training.

SEC. 2. (a) Section 6 of the Defense Highway Act of 1941, as amended, is hereby amended to provide that the second sentence thereof shall read as follows:

"The acquisition of new or additional rights-of-way necessary for such projects, including the control of access thereto from adjoining lands, may be included to the extent determined by the Secretary of Commerce as part of the construction of such projects and Federal funds shall be available to pay the cost of such acquisition."

(b) Section 14 of said Act is hereby amended to read as follows:

"SEC. 14. By agreement with the highway department of any State such new or additional rights-of-way, lands, or interest in lands, including the control of access thereto from adjoining lands, as may be required for any project in such State authorized by section 6 of this Act, as amended, may be acquired by such highway department or by any political subdivision of such State, and the construction, reconstruction, maintenance, or repair of any such project may be undertaken by such highway department, and the Commissioner of Public Roads may advance or reimburse the share of the cost of such rights-of-way and the cost of the construction, reconstruction, maintenance, or repair of such project, payable by the Federal Government: *Provided, however*, That if the Secretary of Commerce shall find that the highway department of any State is unable or unwilling to acquire the required rights-of-way, lands, or interests in lands, including the control of access thereto from adjoining lands, or to obtain possession and the right to enter upon and use the same with sufficient promptness, or if he shall determine for any other reason that it will be more feasible and practicable for such rights-of-way, lands, or interests in lands, including the control of access thereto from adjoining lands, to be acquired in the name of the United States, he is authorized to acquire the same by purchase, donation, condemnation, or

#### 4 AMENDING SECTION 12 OF THE FEDERAL-AID HIGHWAY ACT

otherwise, in accordance with the laws of the United States (including the Act of February 26, 1931, 46 Stat. 1421), and, during the continuance of the emergencies declared by the President on May 27, 1941, and December 16, 1950, may enter upon and take possession thereof, and expend public funds for projects thereon, prior to approval of title by the Attorney General (without regard to the provisions of sections 355, 1136, and 3709 of the Revised Statutes, as amended, and without regard to State, municipal, or local laws, ordinances, or regulations). The costs incurred by the Secretary of Commerce in acquiring any such rights-of-ways, lands, or interests in lands, including the control of access thereto from adjoining lands, may include the cost of examination and abstract of title, certificate of title, advertising, and any fees or other necessary costs incidental to such acquisition, and the Federal share thereof shall be payable out of the funds available for paying the cost of the project for which such rights-of-way, lands, or interests in lands, including the control of access thereto from adjoining lands, are acquired. The Secretary of Commerce is further authorized and directed when he shall determine that such action will be in the public interest, to convey any lands or interest in lands, including the control of access thereto from adjoining lands, acquired by him in any State under the provisions of this section to the highway department of such State, or to such political subdivision thereof as its laws may provide, upon such conditions as may be agreed upon by the Secretary of Commerce and such highway department or political subdivision providing for the acceptance of same and for the maintenance, preservation, and use of the project as constructed thereon."

#### CHANGES IN EXISTING LAW

In compliance with paragraph 2a of rule XIII of the Rules of the House of Representatives, changes in existing law made by this bill are shown as follows) existing law in which no change is made is printed in roman, omitted matter is printed within black brackets, the new matter is printed in italics):

SEC. 12. For the purpose of carrying out the provisions of section 6 of the Defense Highway Act of 1941 (55 Stat. 765) as amended, there is hereby authorized to be appropriated the sum of [[\$10,000,000,]] \$45,000,000, to remain available until expended: *Provided*, That [\$2,000,000] \$20,000,000 of the sum authorized by this section shall be available for contract immediately upon the passage of this Act: *Provided further*, That the roads authorized to be constructed under this section shall be certified to the Secretary of Commerce as important to the national defense by the Secretary of Defense or such other official as the President may designate: *And provided further*, That not exceeding \$5,000,000 of any funds appropriated under this authorization may be used by the Secretary of Commerce in areas certified to him by the Secretary of Defense as maneuver areas, for such reconstruction, maintenance, and repair work as may be necessary to keep the roads therein which have been or may be used for training of the Armed Forces in suitable condition for such training purposes, and for repairing the damage caused to such roads by the operations of men and equipment in such training.



82D CONGRESS  
1ST SESSION

# Union Calendar No. 336

# H. R. 5504

[Report No. 1086]

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 27, 1951

Mr. BUCKLEY introduced the following bill; which was referred to the Committee on Public Works

OCTOBER 1, 1951

Committed to the Committee of the Whole House on the State of the Union  
and ordered to be printed

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## A BILL

To amend section 12 of the Federal-Aid Highway Act of 1950  
to increase the amount available for the construction of access  
roads certified as essential to the national defense.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That section 12 of the Federal-Aid Highway Act of 1950,  
4       approved September 7, 1950 (64 Stat. 785), is hereby  
5       amended by striking out "\$10,000,000" and inserting in lieu  
6       thereof "\$45,000,000", and by striking out "\$2,000,000"  
7       and inserting in lieu thereof "\$20,000,000", and by adding  
8       at the end thereof the following additional proviso: "And  
9       provided further, That not exceeding \$5,000,000 of any  
10      funds appropriated under this authorization may be used by

1 the Secretary of Commerce in areas certified to him by the  
2 Secretary of Defense as maneuver areas, for such recon-  
3 struction, maintenance; and repair work as may be necessary  
4 to keep the roads therein which have been or may be used  
5 for training of the Armed Forces in suitable condition for  
6 such training purposes, and for repairing the damage caused  
7 to such roads by the operations of men and equipment in  
8 such training".



82d CONGRESS  
1st Session

# H. R. 5504

[Report No. 1086]

## A BILL

To amend section 12 of the Federal-Aid Highway Act of 1950 to increase the amount available for the construction of access roads certified as essential to the national defense.

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By Mr. BUCKLEY

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SEPTEMBER 27, 1951

Referred to the Committee on Public Works

OCTOBER 1, 1951

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

830. A letter from the Chairman, Federal Power Commission, transmitting a report entitled, "Statistics of Electric Utilities in the United States, 1950"; to the Committee on Interstate and Foreign Commerce.

831. A letter from the Assistant Secretary of State, transmitting a copy of the counterpart of the agreement which was executed by the Governors of Kansas and Illinois on August 23 and August 29, 1951, entitled, "An agreement to extend the interstate compact to conserve oil and gas", pursuant to Public Law 128, Eighty-second Congress, approved August 28, 1951; to the Committee on Interstate and Foreign Commerce.

832. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated May 5, 1948, submitting a report, together with accompanying papers and a review of reports on, and a preliminary examination and survey of the Mississippi River-Gulf outlet and the Mobile to New Orleans Intracoastal Waterway, requested by resolutions of the Committee on Rivers and Harbors, House of Representatives, adopted on May 5, 1943, and the Committee on Commerce, United States Senate, adopted on April 19, 1943, and also authorized by the River and Harbor Act approved on March 2, 1945 (H. Doc. No. 245); to the Committee on Public Works and ordered to be printed with one illustration.

833. A communication from the President of the United States, transmitting a proposed supplemental appropriation for the fiscal year 1952 in the amount of \$385,000 for the Department of the Interior (H. Doc. No. 246); to the Committee on Appropriations, and ordered to be printed.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BARDET: Committee on Education and Labor. S. 1959. An act to amend the National Labor Relations Act, as amended, and for other purposes; without amendment (Rept. No. 1082). Referred to the Committee of the Whole House on the State of the Union.

Mr. LARCADE: Committee on Public Works. H. R. 2322. A bill to authorize the improvement of East Pass Channel from the Gulf of Mexico into Choctawhatchee Bay, Fla.; with amendment (Rept. No. 1083). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROOKS: Committee on Armed Services. H. R. 5425. A bill to authorize construction at Air Force installations, and for other purposes; without amendment (Rept. No. 1084). Referred to the Committee of the Whole House on the State of the Union.

Mr. FALLON: Committee on Public Works. H. R. 5257. A bill to amend section 9 of the Federal-Aid Highway Act of 1950 (64 Stat. 785), to increase the amount available as an emergency relief fund for the repair or reconstruction of highways and bridges damaged by floods or other catastrophes; without amendment (Rept. No. 1085). Re-

ferred to the Committee of the Whole House on the State of the Union.

Mr. FALLON: Committee on Public Works. H. R. 5504. A bill to amend section 12 of the Federal-Aid Highway Act of 1950 to increase the amount available for the construction of access roads certified as essential to the national defense; without amendment (Rept. No. 1086). Referred to the Committee of the Whole House on the State of the Union.

Mr. CARNAHAN: Special Mission to Australia. Report pursuant to House Resolution 204, Eighty-second Congress, first session. Resolution appointing Members of the House of Representatives to attend and participate in the Australian Commonwealth Jubilee Celebration to be held in Canberra, Australia, during May 1951 (Rept. No. 1087). Referred to the Committee of the Whole House on the State of the Union.

Mr. McGRATH: Committee of conference. H. R. 4496. A bill making appropriations for the legislative branch for the fiscal year ending June 30, 1952, and for other purposes; without amendment (Rept. No. 1088). Ordered to be printed.

Mr. DOUGHTON: Committee on Ways and Means. H. R. 5505. A bill to amend certain administrative provisions of the Tariff Act of 1930 and related laws, and for other purposes; without amendment (Rept. No. 1089). Referred to the Committee of the Whole House on the State of the Union.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BARTLETT:

H. R. 5545. A bill to authorize the Secretary of the Interior to investigate and report to the Congress on the conservation, development, and utilization of the water and related natural resources of Alaska; to the Committee on Interior and Insular Affairs.

By Mr. BROOKS:

H. R. 5546. A bill to amend certain authorization for construction at military and naval installations, and for other purposes; to the Committee on Armed Services.

By Mr. CELLER:

H. R. 5547. A bill to confer Federal jurisdiction to prosecute certain common law crimes of violence when such crimes are committed on an American airplane in flight over the high seas or over waters within the admiralty and maritime jurisdiction of the United States; to the Committee on the Judiciary.

By Mr. KEARNS:

H. R. 5548. A bill to establish a National War Memorial Theater and Opera Commission, comprising the members of the Commission of Fine Arts and certain other persons, to provide for the construction and maintenance of a National War Memorial Theater and Opera Auditorium, and for other purposes; to the Committee on House Administration.

By Mr. MURRAY of Tennessee:

H. R. 5549. A bill to provide for certain investigations by the Civil Service Commission in lieu of the Federal Bureau of Investigation, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BLATNIK:

H. J. Res. 337. Joint resolution approving the agreement between the United States and Canada, relating to the development of

the resources of the Great Lakes-St. Lawrence Basin for national security and continental defense of the United States of America and Canada; providing for making the St. Lawrence seaway selfliquidating; and for other purposes; to the Committee on Public Works.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of California:

H. R. 5550. A bill for the relief of Tullio R. Fabris; to the Committee on the Judiciary.

By Mr. BOLLING:

H. R. 5551. A bill for the relief of Eugene Kiene; to the Committee on the Judiciary.

By Mr. BRAMBLETT:

H. R. 5552. A bill for the relief of Mrs. Anna Vanoli; to the Committee on the Judiciary.

By Mr. GWINN:

H. R. 5553. A bill for the relief of Gabriele Attilio; to the Committee on the Judiciary.

By Mr. MARTIN of Massachusetts:

H. R. 5554. A bill for the relief of Rev. Jose De Oliveira and Rev. Daniel Luiz De Freitas; to the Committee on the Judiciary.

By Mr. MITCHELL:

H. R. 5555. A bill for the relief of Mrs. Toyoko Ogo Yoshihara; to the Committee on the Judiciary.

By Mr. RIBICOFF:

H. R. 5556. A bill for the relief of Emmanuel Loukas; to the Committee on the Judiciary.

By Mr. SHEPPARD:

H. R. 5557. A bill for the relief of Nicholas B. Perry for losses sustained through confiscation of property by Rumania and Hungary, or either of said countries; to the Committee on Foreign Affairs.

By Mr. SMITH of Wisconsin:

H. R. 5558. A bill for the relief of Anna Maria Krause; to the Committee on the Judiciary.

By Mr. VAN PELT:

H. R. 5559. A bill for the relief of Mieko Takamine; to the Committee on the Judiciary.

## PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

443. By Mr. GROSS: Petition of Mrs. Anna Smith, Waterloo, Iowa, and 40 others in the Waterloo-Cedar Falls, Iowa, area, favoring the passage of legislation to prohibit alcoholic beverage advertising over the radio and television and in magazines and newspapers; to the Committee on Interstate and Foreign Commerce.

444. By Mr. HARRISON of Wyoming: Petition of Rock Springs, Wyo., Aerie No. 1, of the Fraternal Order of Eagles, requesting immediate action on the release of William N. Oatis by the Communist Government of Czechoslovakia; to the Committee on Foreign Affairs.

445. By the SPEAKER: Petition of the Secretary General Croatian National Committee, München, Germany, relative to the solution of the problem of southeast Europe, by a peaceful separation of Croatia from Serbia; to the Committee on Foreign Affairs.







**THE SPEAKER.** Is there objection to the request of the gentleman from Maryland?

**MR. McGREGOR.** Mr. Speaker, reserving the right to object, and I will not object. This is a bill that came out of not only the Public Works Committee, but the subcommittee on roads, and it simply increases the amount of money available as an emergency fund that can be used for the repair of highways and bridges, damaged by floods. This legislation should be passed immediately. It comes from Public Works Committee with unanimous vote.

**MR. FALLON.** That is right. Most of this money will be used in Kansas and Missouri. The balance, which will be in the neighborhood of \$6,000,000, will be available until next year, when other money will be appropriated to take care of any emergency throughout the Nation.

**MR. HAGEN.** Mr. Speaker, will the gentleman yield?

**MR. McGREGOR.** I yield to the gentleman from Minnesota.

**MR. HAGEN.** In the case of the floods of last year and in the case where the road is still damaged and needs repair, will some of these funds be made available for those areas?

**MR. FALLON.** The money is available to repair any roads damaged by floods, but it refers only to Federal-aid highways.

**MR. HAGEN.** Even though it may have happened last year and the year before?

**MR. FALLON.** That is correct.

**THE SPEAKER.** Is there objection to the request of the gentleman from Maryland?

There was no objection.

The Clerk read the bill as follows:

*Be it enacted, etc.*, That section 9 of the Federal-Aid Highway Act of 1950, approved September 7, 1950 (64 Stat. 785), is hereby amended by striking out the figure "\$5,000,000" and inserting in lieu thereof "\$15,000,000."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### CONSTRUCTION OF ACCESS ROADS

**MR. FALLON.** Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 5504) to amend section 12 of the Federal-Aid Highway Act of 1950 to increase the amount available for the construction of access roads certified as essential to the national defense.

The Clerk read the title of the bill.

**THE SPEAKER.** Is there objection to the request of the gentleman from Maryland?

**MR. McGREGOR.** Reserving the right to object, Mr. Speaker, this is another bill that has come from the Sub-committee on Roads of the Committee on Public Works by unanimous vote. It authorizes appropriations, as requested by the Department of Defense and changes the Federal-Aid Highway Act of 1950 and authorizes a change from \$10,000,000 to \$45,000,000. Twenty million dollars of the sum authorized is made available for contracts immediately. It

also provides \$5,000,000 of funds appropriated under the act may be used in areas certified by the Secretary of Defense as maneuver areas for such reconstruction, maintenance, and repair work as may be necessary to keep the roads therein which have been, or may be, used for training of the Armed Forces in suitable condition for such training purposes, and for repairing damage caused to such roads by the operations of men and equipment in such training.

**MR. FALLON.** That is correct.

**THE SPEAKER.** Is there objection to the request of the gentleman from Maryland?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That section 12 of the Federal-Aid Highway Act of 1950, approved September 7, 1950 (64 Stat. 785), is hereby amended by striking out "\$10,000,000" and inserting in lieu thereof "\$45,000,000", and by striking out "\$2,000,000" and inserting in lieu thereof "\$20,000,000", and by adding at the end thereof the following additional proviso: "And provided further, That not exceeding \$5,000,000 of any funds appropriated under this authorization may be used by the Secretary of Commerce in areas certified to him by the Secretary of Defense as maneuver areas, for such reconstruction, maintenance, and repair work as may be necessary to keep the roads therein which have been or may be used for training of the Armed Forces in suitable condition for such training purposes, and for repairing the damage caused to such roads by the operations of men and equipment in such training."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### RESIGNATION FROM COMMITTEE

**THE SPEAKER** laid before the House the following resignation from a committee:

OCTOBER 4, 1951.

The Honorable SAM RAYBURN,  
*Speaker of the House of Representatives,*  
*The Capitol, Washington, D. C.*

MY DEAR MR. SPEAKER: I submit herewith my resignation as a member of the Committee on House Administration, effective immediately.

Very truly yours,  
EDWARD L. SITTLER, JR.

**THE SPEAKER.** Without objection, the resignation will be accepted.

There was no objection.

#### ELECTION TO COMMITTEE

Mr. MARTIN of Massachusetts. Mr. Speaker, I offer a resolution (H. Res. 445), and ask for its immediate consideration.

The Clerk read the resolution as follows:

*Resolved*, that EDWARD L. SITTLER, JR., of Pennsylvania be, and he is hereby elected a member of the standing committee of the House of Representatives on Veterans' Affairs.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### UNEMPLOYMENT INSURANCE FOR FEDERAL CIVILIAN EMPLOYEES

**MR. FORAND.** Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 5118) to amend the Social Security Act to provide unemployment in-

surance for Federal civilian employees, and for other purposes.

The Clerk read as follows:

*Be it enacted, etc.*, That the Social Security Act, as amended, is further amended by adding after title XIV thereof the following new title:

#### "TITLE XV—UNEMPLOYMENT COMPENSATION FOR FEDERAL EMPLOYEES

##### "DEFINITIONS

"SEC. 1501. When used in this title—

"(a) The term 'Federal service' means any service performed after 1949 in the employ of the United States or any instrumentality thereof which is wholly owned by the United States, except that the term shall not include (1) service performed by an elective officer in the executive or legislative branch of the Government of the United States, (2) service performed as a member of the Armed Forces of the United States, (3) service performed by foreign service personnel for whom special separation allowances are provided by the Foreign Service Act of 1946 (60 Stat. 999), (4) service performed prior to January 1, 1952, for the Bonneville Power Administrator if such service constitutes employment under section 1607 (m) of the Federal Unemployment Tax Act, or (5) service performed outside the United States by an individual who is not a citizen of the United States. For the purpose of clause (5) of this subsection, the term 'United States' when used in a geographical sense means the States, Alaska, Hawaii, the District of Columbia, Puerto Rico, and the Virgin Islands.

"(b) The term 'Federal wages' means all remuneration for Federal service, including cash allowances and remuneration in any medium other than cash.

"(c) The term 'Federal employee' means an individual who has performed Federal service.

"(d) The term 'compensation' means cash benefits payable to individuals with respect to their unemployment (including any portion thereof payable with respect to dependents).

"(e) The term 'benefit year' means the benefit year as defined in the applicable State unemployment compensation law; except that, if such State law does not define a benefit year, then such term means the period prescribed in the agreement under this title with such State or, in the absence of an agreement, the period prescribed by the Secretary.

"(f) The term 'Secretary' means the Secretary of Labor.

#### "COMPENSATION FOR FEDERAL EMPLOYEES UNDER STATE AGREEMENTS

"SEC. 1502. (a) The Secretary is authorized on behalf of the United States to enter into an agreement with any State, or with the agency administering the unemployment compensation law of such State, under which such State agency (1) will make, as agent of the United States, payments of compensation, on the basis provided in subsection (b) of this section, to Federal employees, and (2) will otherwise cooperate with the Secretary and with other State agencies in making payments of compensation under this title.

"(b) Any such agreement shall provide that compensation will be paid by the State to any Federal employee, with respect to unemployment after December 31, 1951, in the same amount, on the same terms, and subject to the same conditions as the compensation which would be payable to such employee under the unemployment compensation law of the State if the Federal service and Federal wages of such employee assigned to such State under section 1504 had been included as employment and wages under such law.

"(c) Any determination by a State agency with respect to entitlement to compensation pursuant to an agreement under this section shall be subject to review in the same manner and to the same extent as determinations under the State unemployment compensation law, and only in such manner and to such extent."

"(d) Each agreement shall provide the terms and conditions upon which the agreement may be amended or terminated.

**"COMPENSATION FOR FEDERAL EMPLOYEES IN ABSENCE OF STATE AGREEMENT"**

"SEC. 1503. (a) In the case of a Federal employee whose Federal service and Federal wages are assigned under section 1504 to a State which does not have an agreement under this title with the Secretary, the Secretary, in accordance with regulations prescribed by him, shall, upon the filing by such employee of a claim for compensation under this subsection, make payments of compensation to him with respect to unemployment after December 31, 1951, in the same amounts, on the same terms, and subject to the same conditions as would be paid to him under the unemployment compensation law of such State if such employee's Federal service and Federal wages had been included as employment and wages under such law, except that if such employee, without regard to his Federal service and Federal wages, has employment or wages sufficient to qualify for any compensation during the benefit year under the law of such State, then payments of compensation under this subsection shall be made only on the basis of his Federal service and Federal wages.

"(b) In the case of a Federal employee whose Federal service and Federal wages are assigned under section 1504 to Puerto Rico or the Virgin Islands, the Secretary, in accordance with regulations prescribed by him, shall, upon the filing by such employee of a claim for compensation under this subsection, make payments of compensation to him with respect to unemployment after December 31, 1951, in the same amounts, on the same terms, and subject to the same conditions as would be paid to him under the unemployment compensation law of the District of Columbia if such employee's Federal service and Federal wages had been included as employment and wages under such law, except that if such employee, without regard to his Federal service and Federal wages, has employment or wages sufficient to qualify for any compensation during the benefit year under such law, then payments of compensation under this subsection shall be made only on the basis of his Federal service and Federal wages.

"(c) Any Federal employee whose claim for compensation under subsection (a) or (b) of this section has been denied shall be entitled to a fair hearing in accordance with regulations prescribed by the Secretary. Any final determination by the Secretary with respect to entitlement to compensation under this section shall be subject to review by the courts in the same manner and to the same extent as is provided in section 205 (g) of title II with respect to final decisions of the Administrator under such title.

"(d) The Secretary may utilize for the purposes of this section the personnel and facilities of the agencies in Puerto Rico and the Virgin Islands cooperating with the United States Employment Service under the act of June 6, 1933 (48 Stat. 113), as amended. For the purpose of payments made to such agencies under such act, the furnishing of such personnel and facilities shall be deemed to be a part of the administration of the public employment offices of such agencies.

**"STATE TO WHICH FEDERAL SERVICE AND WAGES ARE ASSIGNABLE"**

"SEC. 1504. In accordance with regulations prescribed by the Secretary, the Federal serv-

ice and Federal wages of an employee shall be assigned to the State in which he had his last official station in Federal service prior to the filing of his first claim for compensation for the benefit year, except that—

"(1) if, at the time of the filing of such first claim, he resides in another State in which he performed, after the termination of such Federal service, service covered under the unemployment compensation law of such other State, such Federal service and Federal wages shall be assigned to such other State;

"(2) if his last official station in Federal service, prior to the filing of such first claim, was outside the United States, such Federal service and Federal wages shall be assigned to the State where he resides at the time he files such first claim; and

"(3) if such first claim is filed while he is residing in Puerto Rico or the Virgin Islands, such Federal service and Federal wages shall be assigned to Puerto Rico or the Virgin Islands.

**"TREATMENT OF ACCRUED ANNUAL LEAVE"**

"SEC. 1505. For the purposes of this title, in the case of a Federal employee who is performing Federal service at the time of his separation from employment by the United States or any instrumentality thereof, (1) the Federal service of such employee shall be considered as continuing during the period, subsequent to such separation, with respect to which he is considered as having received payment of accumulated and current annual or vacation leave pursuant to any Federal law, and (2) subject to regulations of the Secretary concerning allocation over the period, such payment shall constitute Federal wages.

**"PAYMENTS TO STATES"**

"SEC. 1506. (a) Each State shall be entitled to be paid by the United States an amount equal to the additional cost to the State of payments of compensation made under and in accordance with an agreement under this title which would not have been incurred by the State but for the agreement.

"(b) In making payments pursuant to subsection (a) of this section, there shall be paid to the State, either in advance or by way of reimbursement, as may be determined by the Secretary, such sum as the Secretary estimates the State will be entitled to receive under this title for each calendar month, reduced or increased, as the case may be, by any sum by which the Secretary finds that his estimates for any prior calendar month were greater or less than the amounts which should have been paid to the State. Such estimates may be made upon the basis of such statistical, sampling, or other method as may be agreed upon by the Secretary and the State agency.

"(c) The Secretary shall from time to time certify to the Secretary of the Treasury for payment to each State sums payable to such State under this section. The Secretary of the Treasury, prior to audit or settlement by the General Accounting Office, shall make payment to the State in accordance with such certification, from the funds for carrying out the purposes of this title.

"(d) All money paid a State under this title shall be used solely for the purposes for which it is paid; and any money so paid which is not used for such purposes shall be returned, at the time specified in the agreement under this title, to the Treasury and credited to current applicable appropriations, funds, or accounts from which payments to States under this title may be made.

"(e) An agreement under this title may require any officer or employee of the State certifying payments or disbursing funds pursuant to the agreement, or otherwise participating in its performance, to give a surety bond to the United States in such amount as the Secretary may deem necessary, and may provide for the payment of

the cost of such bond from funds for carrying out the purposes of this title.

"(f) No person designated by the Secretary, or designated pursuant to an agreement under this title, as a certifying officer, shall, in the absence of gross negligence or intent to defraud the United States, be liable with respect to the payment of any compensation certified by him under this title.

"(g) No disbursing officer shall, in the absence of gross negligence or intent to defraud the United States, be liable with respect to any payment by him under this title if it was based upon a voucher signed by a certifying officer designated as provided in subsection (f) of this section.

"(h) For the purpose of payments made to a State under title III, administration by the State agency of such State pursuant to an agreement under this title shall be deemed to be a part of the administration of the State unemployment compensation law.

**"INFORMATION"**

"SEC. 1507. (a) All Federal departments, agencies, and wholly owned instrumentalities of the United States are directed to make available to State agencies which have agreements under this title or to the Secretary, as the case may be, such information with respect to the Federal service and Federal wages of any Federal employee as the Secretary may find practicable and necessary for the determination of such employee's entitlement to compensation under this title.

"(b) The agency administering the unemployment compensation law of any State shall furnish to the Secretary such information as the Secretary may find necessary or appropriate in carrying out the provisions of this title, and such information shall be deemed reports required by the Secretary for the purposes of paragraph (6) of subsection (a) of section 303.

**"PENALTIES"**

"SEC. 1508. Whoever makes a false statement or representation of a material fact knowing it to be false, or knowingly fails to disclose a material fact, to obtain or increase for himself or for any other individual any payment authorized to be paid under this title or under an agreement thereunder shall be fined not more than \$1,000 or imprisoned for not more than 1 year, or both.

**"REGULATIONS"**

"SEC. 1509. The Secretary is hereby authorized to make such rules and regulations as may be necessary to carry out the provisions of this title. The Secretary shall insofar as practicable consult with representatives of the State unemployment compensation agencies before prescribing any rules or regulations which may affect the performance by such agencies of functions pursuant to agreements under this title.

**"APPROPRIATIONS"**

"SEC. 1510. There are hereby authorized to be appropriated out of any moneys not otherwise appropriated such sums as are necessary to carry out the provisions of this title."

SEC. 2. Section 1606 (e) and section 1607 (m) of the Federal Unemployment Tax Act are each hereby amended by inserting after "December 31, 1945," the following: "and prior to January 1, 1952."

The SPEAKER. Is a second demanded?

Mr. MASON. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The gentleman from Rhode Island [Mr. FORAND] will be recognized for 20 minutes. The gentleman from Illinois [Mr. MASON] will be recognized for 20 minutes.





82D CONGRESS  
1ST SESSION

# H. R. 5504

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IN THE SENATE OF THE UNITED STATES

OCTOBER 8 (legislative day, OCTOBER 1), 1951

Read twice, considered, read the third time, and passed

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## AN ACT

To amend section 12 of the Federal-Aid Highway Act of 1950  
to increase the amount available for the construction of access  
roads certified as essential to the national defense.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
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4       approved September 7, 1950 (64 Stat. 785), is hereby  
5       amended by striking out "\$10,000,000" and inserting in lieu  
6       thereof "\$45,000,000", and by striking out "\$2,000,000"  
7       and inserting in lieu thereof "\$20,000,000", and by adding  
8       at the end thereof the following additional proviso: "*And*  
9       *provided further*, That not exceeding \$5,000,000 of any  
10      funds appropriated under this authorization may be used by

1 the Secretary of Commerce in areas certified to him by the  
2 Secretary of Defense as maneuver areas, for such recon-  
3 struction, maintenance, and repair work as may be necessary  
4 to keep the roads therein which have been or may be used  
5 for training of the Armed Forces in suitable condition for  
6 such training purposes, and for repairing the damage caused  
7 to such roads by the operations of men and equipment in  
8 such training".

Passed the House of Representatives October 4, 1951.

Attest:

RALPH R. ROBERTS,

*Clerk.*



**AN ACT**

To amend section 12 of the Federal-Aid Highway Act of 1950 to increase the amount available for the construction of access roads certified as essential to the national defense.

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OCTOBER 8 (legislative day, OCTOBER 1), 1951

Read twice, considered, read the third time, and passed

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Mr. LANGER. Yes.

Mr. MCKELLAR. In this case some Senators urge that we disregard the expert testimony. Of course, the majority of the Senate can do as they please. However, I say that the amendment now proposed to the committee amendment should be rejected in common honesty and common justice. I leave the matter to the Senate, Mr. President.

Mr. FERGUSON. Mr. President, the Senator from North Dakota raises a question about minerals and mines. Upon the suggestion of the Senator from North Dakota, the Senator from Nevada, and the Senator from Utah, we are giving increased appropriations to the new agency, the Defense Minerals Administration. The House voted for that agency \$1,300,000, but we would add \$200,000 to that amount, and would give the Defense Minerals Administration for the next 9 months \$1,500,000.

Mr. LANGER. How much are we cutting the appropriation?

Mr. MCKELLAR. Mr. President, we are not cutting it. Quite to the contrary, we are increasing it all along the line. There seems to be a combination of a certain number of Democratic Senators and a certain number of Republican Senators, and they are destroying the cuts which the committee has voted.

Mr. FERGUSON. Mr. President, the budget estimate was \$1,790,000. We are recommending that the agency have \$1,500,000, which is \$290,000 below the budget estimate.

Mr. LANGER. We are cutting the appropriation \$290,000; is that correct?

Mr. FERGUSON. Yes; but the agency has only 9 months in which to spend the appropriation, and the agency is really just beginning.

Mr. HAYDEN. Mr. President, I should like to point out a fundamental fact which apparently is overlooked, namely, that during the war there was created an independent agency with respect to defense production; and at the beginning of the present conflict in Korea, when it became evident that there must be some regulation and some aid to industry in order to promote the war effort, it was decided that instead of setting up an independent agency, the various regular departments of the Government would be delegated certain powers with respect to the matters over which they normally have jurisdiction in time of peace. For that reason, the Department of the Interior was given the function, which now goes under the name of the Defense Solid Fuels Administration. It relates to coal throughout the United States. It has authority to allocate coal cars and to allocate materials to aid in coal mining, instead of having an independent agency do that.

There is, likewise, the Defense Electric Power Administration, which is engaged in allocating materials to promote the production of electric power and to allocate the power itself.

Then there is the Defense Minerals Administration, about which we have talked, and in which those of us who live in the West are particularly interested.

Then there is the Defense Fuels Administration, which has to do with gas and oil.

Because the Department of the Interior in normal times knows about those subjects and because there are in the Department men who are qualified to pass upon them, it is proper that those functions should be assigned to that Department. As a result, the job is being done for about one-third of what it cost to do it during the war, and the work is done better, because there is no conflict between a standing Department and an independent agency.

Mr. LANGER. Mr. President, will the Senator from Arizona yield for a question?

Mr. HAYDEN. I yield.

Mr. LANGER. In the opinion of the distinguished Senator from Arizona, would the reduction of this amount by \$290,000 hurt the Government?

Mr. HAYDEN. I think there would be difficulty in the West if the amount requested were not allowed, insofar as the Defense Minerals' Administration was concerned, because the amount requested was a reasonable sum in the first place.

If Senators think the agency can get along satisfactorily with a smaller appropriation, and if Senators think the agency can process as promptly, with a reduced number of employees in Washington, the applications of Senators' constituents for materials with which to carry on mining, Senators can vote to reduce the appropriation. However, I think they will make a mistake if they do so.

Mr. WATKINS. Mr. President, will the Senator from Arizona yield to me for a question?

Mr. HAYDEN. I yield.

Mr. WATKINS. In the past, has not the difficulty frequently been in getting the top men to make the decisions, rather than in not having a sufficient number of employees?

Mr. HAYDEN. I understand that point. However, the pending motion is to reduce the number of top men who can make the decisions.

Mr. WATKINS. It seems to me that the point is that only the top men can make the decisions; in fact, frequently the Secretary of the Interior himself is the only one who can make the decisions. Under such circumstances, if the agency is given an additional \$10,000,000, the decisions will not be made any more promptly.

Mr. HAYDEN. Mr. President, this appropriation is for the agency which makes the decisions. If we reduce the funds available to that agency, there will be a lag in the making of the decisions. That is my opinion.

Mr. WATKINS. I point out that there has been a lag in connection with such matters, sometimes to the extent of a year or more, not by reason of a lack of help, but because the Secretary cannot make up his mind.

Mr. HAYDEN. That may be. However, the Senator from Utah should remember that the pending proposal is to reduce the budget estimate. I think we should accept the budget figure. In the

conference we can adjust these matters. However, if the Senator from Utah thinks we can now properly arrive at a smaller amount, I wish to assure the Senator that the amount of the appropriation will be smaller when the bill comes from the conference; the Senator from Utah can be sure of that.

Mr. WATKINS. I want to see the West properly taken care of so far as our critical-minerals defense program is concerned, but I have a strong feeling that if those in the administration who are interested have a desire to correct some of the deficiencies, they can do it. They can get by on the amount of money now proposed.

Mr. HAYDEN. The Senator bases his statement on a strong feeling. I am basing what I say on testimony taken before the committee, which showed that the kind of organization provided for is essential in order to carry on the necessary functions with respect to solid fuels, with respect to oil and gas, and with respect to metals and minerals. This organization should be maintained, and they ought to have a chance to do the work which is assigned to them.

Mr. LANGER. Mr. President, will the Senator yield for a question?

Mr. HAYDEN. I yield.

Mr. LANGER. Did not the testimony given before the committee include not only that of Mr. Chapman, but the testimony of some of the outstanding mining men of the United States?

Mr. HAYDEN. It did; but, if the Senator will read their testimony, he will find that the men who came before the committee, the men in charge of the solid-fuel mining, knew how that business was handled. They came from the industry. There were men who appeared before our committee who were in charge of oil and gas, and who knew about that business. They came from the industry. They were not departmental stooges who happened to be around at the time. The Department brought in some of the men from each of the industries. It is now proposed that the number be cut down. That would result in the Department not having adequate assistance. I think it would be a mistake.

Mr. LANGER. The testimony of these men resulted in the committee's arriving at the number 54, did it not?

Mr. HAYDEN. That is true.

The PRESIDING OFFICER. Does the Senator from New Hampshire modify his amendment?

Mr. BRIDGES. I modify the amendment to read "\$5,450,000."

The PRESIDING OFFICER. The clerk will state the amendment as modified.

The LEGISLATIVE CLERK. As modified, on page 38, line 4, in the committee amendment, it is proposed to strike "\$6,701,625" and insert "\$5,450,000."

Mr. BRIDGES. I ask for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk called the roll.

Mr. JOHNSON of Texas. I announce that the Senator from New Mexico [Mr. ANDERSON] is absent by leave of the Senate.

The Senator from Virginia [Mr. BYRD] is absent because of illness in his family.

The Senator from Connecticut [Mr. BENTON], the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senator from Iowa [Mr. GILLETTE], the Senators from Rhode Island [Mr. GREEN and Mr. PASTORE], the Senator from Minnesota [Mr. HUMPHREY], the Senators from Wyoming [Mr. HUNT and Mr. O'MAHONEY], the Senator from Oklahoma [Mr. KERR], the Senator from West Virginia [Mr. KILGORE], the Senator from Louisiana [Mr. LONG], the Senator from South Carolina [Mr. MAYBANK], and the Senator from Alabama [Mr. SPARKMAN] are absent on official business.

The Senators from Arkansas [Mr. FULBRIGHT and Mr. McCLELLAN] are absent on official business at one of the Government departments.

The Senator from Oklahoma [Mr. KERR] is paired on this vote with the Senator from Ohio [Mr. BRICKER]. If present and voting, the Senator from Oklahoma would vote "nay," and the Senator from Ohio would vote "yea."

The Senator from Alabama [Mr. SPARKMAN] is paired on this vote with the Senator from New Jersey [Mr. SMITH]. If present and voting, the Senator from Alabama would vote "nay," and the Senator from New Jersey would vote "yea."

I announce further that if present and voting, the Senator from West Virginia [Mr. KILGORE] would vote "nay."

Mr. SALTONSTALL. I announce that the Senator from Ohio [Mr. BRICKER], the Senator from Vermont [Mr. FLANDERS], the Senator from Missouri [Mr. KEM] and the Senator from Pennsylvania [Mr. MARTIN], are absent on official business.

The Senator from Indiana [Mr. CAPEHART], the Senator from Massachusetts [Mr. LODGE], the Senator from Ohio [Mr. TAFT] and the Senator from Nebraska [Mr. WHERRY] are necessarily absent.

The Senator from Wisconsin [Mr. McCARTHY] is absent by leave of the Senate.

The Senator from New Hampshire [Mr. TOBEY] is absent because of illness.

The Senator from Vermont [Mr. AIKEN], the Senator from Pennsylvania [Mr. DUFF], the Senator from Oregon [Mr. MORSE], the Senator from California [Mr. NIXON], and the Senator from Idaho [Mr. WELKER] are detained on official business. If present and voting, the Senator from Idaho [Mr. WELKER] would vote "yea."

On this vote the Senator from Ohio [Mr. BRICKER] is paired with the Senator from Oklahoma [Mr. KERR]. If present and voting, the Senator from Ohio would vote "yea" and the Senator from Oklahoma would vote "nay."

On this vote the Senator from New Jersey [Mr. SMITH] who is detained on official committee business is paired with the Senator from Alabama [Mr. SPARKMAN]. If present and voting, the Senator from New Jersey would vote "yea" and the Senator from Alabama would vote "nay."

The result was announced—yeas 42, nays 20, as follows:

#### YEAS—42

Bennett	Hendrickson	Mundt
Brewster	Hickenlooper	O'Conor
Bridges	Hoey	Robertson
Butler, Md.	Holland	Saltonstall
Butler, Nebr.	Ives	Schoeppel
Cain	Jenner	Smathers
Carlson	Johnson, Colo.	Smith, Maine
Case	Johnston, S. C.	Smith, N. C.
Cordon	Knowland	Stennis
Dirksen	Magnuson	Thye
Dworshak	Malone	Watkins
Ferguson	McCarran	Wiley
Frear	Millikin	Williams
George	Moody	Young

#### NAYS—20

Chavez	Hill	McMahon
Clements	Johnson, Tex.	Monroney
Connally	Kefauver	Murray
Ecton	Langer	Neely
Ellender	Lehman	Russell
Hayden	McFarland	Underwood
Hennings	McKellar	

#### NOT VOTING—34

Aiken	Green	Morse
Anderson	Humphrey	Nixon
Benton	Hunt	O'Mahoney
Bricker	Kem	Pastore
Byrd	Kerr	Smith, N. J.
Capehart	Kilgore	Sparkman
Douglas	Lodge	Taft
Duff	Long	Tobey
Eastland	Martin	Welker
Flanders	Maybank	Wherry
Fulbright	McCarthy	
Gillette	McClellan	

So the modified amendment offered by Mr. BRIDGES for himself and Mr. FERGUSON to the committee amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment as amended.

The amendment, as amended, was agreed to.

#### AMENDMENT OF FEDERAL-AID HIGHWAY ACT OF 1950

Mr. HOLLAND. Mr. President, I ask that the Chair lay before the Senate House bill 5504, to amend section 12 of the Federal-Aid Highway Act of 1950 to increase the amount available for the construction of access roads certified as essential to the national defense.

The PRESIDING OFFICER laid before the Senate the bill (H. R. 5504) to amend section 12 of the Federal-Aid Highway Act of 1950 to increase the amount available for the construction of access roads certified as essential to the national defense, which was read twice by its title.

Mr. MCKELLAR. Mr. President, may I ask—

The PRESIDING OFFICER. This is a privileged matter.

Mr. HOLLAND. Mr. President, a similar Senate bill has already been unanimously reported and unanimously passed the Senate. The House bill is different in very small particulars. The Public Works Committee has been polled today and has unanimously approved the consideration and passage of the House bill. It has to do with access roads to defense installations, and it should be enacted at once. I ask unanimous consent for its immediate consideration.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. SALTONSTALL. Is the Senator asking unanimous consent to consider the bill up at this time?

Mr. HOLLAND. The Senate has already passed its bill, and this is a similar bill which has come from the House. It is a companion measure, changed in a small degree. The committee has seen the changes and has accepted them because the access roads are very urgently needed. Yes, the request is for immediate consideration of the House bill.

Mr. SALTONSTALL. The Senate has already passed its bill, and the Senate committee has accepted the amendments of the House. Is that correct?

Mr. HOLLAND. The Senator is correct.

Mr. CASE. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. CASE. Is it not correct that the House version is a little more modest than is the Senate version?

Mr. HOLLAND. That is correct. The Senate committee would have preferred its own bill. The House bill is more modest in the amount authorized.

Mr. SALTONSTALL. Mr. President, I have no objection.

The PRESIDING OFFICER. Is there objection to the present consideration of the House bill?

There being no objection, the bill (H. R. 5504) was considered, ordered to a third reading, read the third time, and passed.

#### SUPPLEMENTAL APPROPRIATIONS, 1952

The Senate resumed the consideration of the bill (H. R. 5215) making supplemental appropriations for the fiscal year ending June 30, 1952, and for other purposes.

The PRESIDING OFFICER. The clerks will state the next amendment.

The next amendment was, on page 38, after line 4, to insert:

FEDERAL SECURITY AGENCY  
OFFICE OF THE ADMINISTRATOR  
Salaries and expenses, defense production activities

For expenses, not otherwise provided for, necessary to enable the Federal Security Agency to carry out its functions under the Defense Production Act of 1950, as amended, including expenses of attendance at meetings concerned with the purposes of this appropriation, \$400,000.

The amendment was agreed to.

The next amendment was, on page 38, after line 13, to insert:

DEPARTMENT OF AGRICULTURE  
OFFICE OF THE SECRETARY  
Salaries and expenses, defense production activities

For expenses necessary to enable the Department of Agriculture to carry out its functions under the Defense Production Act of 1950, as amended, \$4,174,414, to be derived from funds appropriated for the current fiscal year by section 32 of the act of August 24, 1935, as amended (7 U. S. C. 612 (c)).

MR. BRIDGES. Mr. President, under the heading of the Department of Agriculture, there is a question raised among Members of the Senate as to why





Public Law 177 - 82d Congress  
Chapter 507 - 1st Session  
H. R. 5504

**AN ACT**

All 65 Stat. 422.

To amend section 12 of the Federal-Aid Highway Act of 1950 to increase the amount available for the construction of access roads certified as essential to the national defense.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 12 of the Federal-Aid Highway Act of 1950, approved September 7, 1950 23 U.S.C. § 106 (Stat. 785), is hereby amended by striking out "\$10,000,000" and note. Inserting in lieu thereof "\$45,000,000", and by striking out "\$2,000,000" and inserting in lieu thereof "\$20,000,000", and by adding at the end thereof the following additional proviso: "And provided further, That Funds for reconstruction, etc. not exceeding \$5,000,000 of any funds appropriated under this authorization may be used by the Secretary of Commerce in areas certified to him by the Secretary of Defense as maneuver areas, for such reconstruction, maintenance, and repair work as may be necessary to keep the roads therein which have been or may be used for training of the Armed Forces in suitable condition for such training purposes, and for repairing the damage caused to such roads by the operations of men and equipment in such training".*

**Approved October 16, 1951.**

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